

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

MERENDON MINING (NEVADA) INC.,
et al.,

Defendants.

Case No. 2:10-cv-00955-RAJ

JUDGMENT AGAINST BRADLEY
REGIER

In accordance with the court's October 30, 2012 order, the court enters this judgment against Defendant Bradley Regier. Mr. Regier remains is bound to the terms of the permanent injunction that the court entered on August 30, 2010 (Dkt. # 36).

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant Bradley Regier is liable for disgorgement of \$221,584 representing ill-gotten gains as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$58,406 for a total of \$279,990. Based on Defendant's sworn representations in his Statement of Financial Condition dated February 29, 2012 and other documents and information

1 submitted to the Commission, however, payment of the disgorgement and pre-judgment
2 interest thereon is waived. The determination to waive payment of the disgorgement and pre-
3 judgment interest is contingent upon the accuracy and completeness of Defendant's Statement
4 of Financial Condition. If at any time following the entry of this Final Judgment the
5 Commission obtains information indicating that Defendant's representations to the
6 Commission concerning his assets, income, liabilities, or net worth were fraudulent,
7 misleading, inaccurate, or incomplete in any material respect as of the time such
8 representations were made, the Commission may, at its sole discretion and without prior notice
9 to Defendant, petition the Court for an order requiring Defendant to pay the unpaid portion of
10 the disgorgement, pre-judgment and post-judgment interest thereon, and the maximum civil
11 penalty allowable under the law. In connection with any such petition, the only issue shall be
12 whether the financial information provided by Defendant was fraudulent, misleading,
13 inaccurate, or incomplete in any material respect as of the time such representations were made.
14 In its petition, the Commission may move this Court to consider all available remedies,
15 including, but not limited to, ordering Defendant to pay funds or assets, directing the forfeiture
16 of any assets, or sanctions for contempt of this Final Judgment. The Commission may also
17 request additional discovery. Defendant may not, by way of defense to such petition: (1)
18 challenge the validity of the Consent or this Final Judgment; (2) contest the allegations in the
19 Complaint filed by the Commission; (3) assert that payment of disgorgement, pre-judgment and
20 post-judgment interest or a civil penalty should not be ordered; (4) contest the amount of
21 disgorgement and pre-judgment and post-judgment interest; (5) contest the imposition of the
22 maximum civil penalty allowable under the law; or (6) assert any defense to liability or remedy,

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1 including, but not limited to, any statute of limitations defense. Defendant shall also pay post-
2 judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961

3 II.

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that based on
5 Defendant's cooperation in a Commission investigation and related enforcement action, the
6 Court is not ordering Defendant to pay a civil penalty. If at any time following the entry of the
7 Final Judgment the Commission obtains information indicating that Defendant knowingly
8 provided materially false or misleading information or materials to the Commission or in a
9 related proceeding, the Commission may, at its sole discretion and without prior notice to the
10 Defendant, petition the Court for an order requiring Defendant to pay a civil penalty. In
11 connection with any such petition and at any hearing held on such a motion: (a) Defendant
12 will be precluded from arguing that he did not violate the federal securities laws as alleged in
13 the Complaint; (b) Defendant may not challenge the validity of the Judgment, this Consent, or
14 any related Undertakings; (c) the allegations of the Complaint, solely for the purposes of such
15 motion, shall be accepted as and deemed true by the Court; and (d) the Court may determine
16 the issues raised in the motion on the basis of affidavits, declarations, excerpts of sworn
17 deposition or investigative testimony, and documentary evidence without regard to the
18 standards for summary judgment contained in Rule 56(c) of the Federal Rules of Civil
19 Procedure. Under these circumstances, the parties may take discovery, including discovery
20 from appropriate non-parties.

1 III.

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Regier's Consent is
3 incorporated herein with the same force and effect as if fully set forth herein, and that
4 Defendant shall comply with all of the undertakings and agreements set forth therein.

5 Dated: October 30, 2012.

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8 The Honorable Richard A. Jones
9 United States District Court Judge
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